

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39216 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- KACCHWA District- Rohtas

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1. SHEOJEE SINGH @ SHEO PRASAD @ SHIV PRASAD SINGH SON OF LATE SURAY NATH SINGH R/O VILLAGE- SAMHUTA, P.S.- KACHHAWA, DISTRICT- ROHTAS AT SASARAM
 2. RAVINDRA KUMAR @ RAVINDRA SINGH @ RAVINDRA KUMAR SINGH SON OF SRI WAKIL SINGH R/O VILLAGE- SAMHUTA, P.S.- KACHHAWA, DISTRICT.- ROHTAS AT SASARAM
 3. SACHIN KUMAR SON OF SHEOJEE SINGH @ SHEO PRASAD SINGH @ SHIV PRASAD SINGH R/O VILLAGE- SAMHUTA, P.S.- KACHHAWA, DISTRICT.- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Krishna, Advocate Mr. Shankar Kumar, Advocate Mr. Nand Lal Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-07-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Kachhawa P.S. Case no. 151 of 2023 registered under sections 307, 147, 148, 149, 341, 323, 448, 379, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that while he was getting his second storey of the house constructed, thirteen named accused persons including the three petitioners herein came variously armed and brutally assaulted



the informant and others. They also resorted to firing.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case because of land dispute which is evident from the F.I.R. itself. There is case and counter case between the parties. The allegations are general and omnibus in nature and a number co-accused have been enlarged on anticipatory bail vide order dated 22.2.2024 passed in Cr. Misc. no. 10395 of 2024. It is further submitted that after investigation final report/charge-sheet no.163 of 2023 was submitted on 13.12.2023 wherein the petitioners herein were not sent up for trial, however the learned trial Court differing with the contents of the final report took cognizance in the case vide order dated 16.12.2023.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioners not having been sent up for trial though cognizance was taken by the learned trial Court differing from the final report and especially grant of anticipatory bail to six similarly situated co-accused vide order dated 22.2.2024, it is directed that all the three petitioners, above named, in the event of their



arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kachhawa P.S. Case no. 151 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Bikramganj, District- Rohtas.

(Partha Sarthy, J)

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